

Telefax Transmittal
Cover sheet



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August 21, 2003

10...pages including cover sheet.

PERSON TO:	COMPANY/DEPT TO:	FAX NUMBER:
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Examiner P. Huynh

Group Art Unit 1644
After Final

703 872 9307

PERSON FROM:	COMPANY/DEPT FROM:	FAX NUMBER:
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William P. Ramey III

Intervet, Millsboro
Patent Department

302 934 4305

RE: USSN 09/744,282
Attorney Docket Number O 98394 US
Request for Continued Examination

Please accept the documents that follow in the above identified application:

RCE Transmittal (1 page)

Request for Continued Examination with Petition for Extension of Time (8 pages)

 Intervet

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PTO/SB/30 (01-03)

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Request For Continued Examination (RCE) Transmittal Address to: Commissioner for Patents Box RCE Washington, DC 20231	Application Number	06744,282
	Filing Date	January 22, 2001
	First Named Inventor	Mittanburg et al
	Art Unit	1644
	Examiner Name	P. Huynh
	Attorney Docket Number	O 98394 US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR 1.115 previously filed on _____
(Any untested amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Petition for Ext. of Time _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.178) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2334

a. ☒ RCE fee required under 37 CFR 1.17(e)


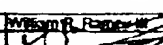
b. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

c. ☐ Other _____

d. ☐ Check in the amount of \$ _____ enclosed

e. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	William P. Rappay, Jr.
Signature	
Registration No. (Attorney/Agent)	44,295
Date	8/21/2003
CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	William P. Rappay, Jr.
Signature	
Date	8/21/2003

Page 1 of 2

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to prepare) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-0199 (1-800-786-9199) and select option 2.

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By: Kal AS

Date: 8/21/03

Atty. Docket No.: O-98394 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

MILTENBURG ET AL.

Serial Number: 09/744,282

Group Art Unit: 1644

Filed: January 22, 2001

Examiner: Huynh, P.

For: USE OF gp-39 IN IMMUNE DISEASES

REQUEST FOR CONTINUED EXAMINATION PURSUANT TO 37 CFR §132(B)**I. Introduction**

Applicants respectfully request continued examination of the above referenced application pursuant to 37 CFR §132(b). Prosecution on the above referenced application is closed, as the application is under a final rejection of April 22, 2003. Applicants are submitting the fee required pursuant to 37 CFR §1.17(e) and making the following submission. Further, Applicants hereby petition for a one-month extension of time. Please charge any required fee and credit any credits to deposit account 02-2334.

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II. Submission

The application presently stands rejected from the final rejection of April 22, 2003. Applicants respectfully respond as follows:

Claims 4-6, 10-12, and 16 are presently pending. Claims 4-6, 10-12, and 16 are finally rejected.